

REMARKS

Claims 41-58 are pending in this application. Each of these claims has been rejected under 35 U.S.C. §103(a) as being obvious over Tadaharu Japanese Patent Publication No. JP2000-254087 in view of Wied EPO Publication No. EP0768050. Applicant respectfully traverses this rejection in view of the comments which follow.

For the Examiner's convenience, a partial translation of the Tadaharu reference is enclosed. As can be seen, e.g., from paragraph <0006> of this translation, the guide rails 15 and 16 of Tadaharu are "integrally mounted" on the frame 11 of the apparatus. Thus, the rails 15 and 16 are immovably fixed to the washing tank 13. There is no specific reference to any other guide rail on which the guide rails 15 and 16 are movably supported. Nor, are there any guide rails that are movably supported on the guide rails 15 and 16. Thus, Tadaharu fails to disclose or suggest the steps of providing a plurality of guide rails for a drawer guide, wherein one guide rail is associated with the drawer and another guide rail is associated with the chamber, as set forth in Applicant's claim 41. Tadaharu also fails to disclose or suggest the step of providing a rolling member assembly for guiding one of the guide rails in a displaceable manner on another guide rail in a direction of movement of the drawer.

Further evidence that Tadaharu only discloses rails that are immovably secured to the washer tank 13 can be found in paragraphs <0013> and <0018> of the enclosed partial translation. Rack rails 15 and 16 are simply fixed rails on which a dishwasher rack (not shown) is

carried. These rack rails are mounted to the washer tank 13 with hand operated screws 19. There is no provision for these rails to be movable once they are secured to the washer tank 13 via screws 19. Thus, Tadaharu clearly fails to disclose one guide rail that is associated with a drawer and another guide rail that is associated with a chamber. Furthermore, as noted above, there is no mention in Tadaharu of any type of rolling member assembly as claimed by Applicant.

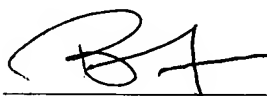
Given the lack of any rolling member assembly in the dishwashing machine disclosed in Tadaharu, there is no motivation for one skilled in the art to consult Wied for the details of a rolling member assembly that guides one guide rail in a displaceable manner on another guide rail. Moreover, Wied merely discloses a conventional telescopic drawer guide, without any suggestion to use such a drawer guide in a chamber through which there is a flow of liquid or gas at an elevated pressure, such as in Applicant's dishwasher chamber. Thus, the combination of Tadaharu and Wied does not render Applicant's claims obvious.

Further remarks regarding the asserted relationship between Applicants' claims and the prior art are not deemed necessary, in view of the foregoing discussion. Applicants' silence as to any of the Examiner's comments is not indicative of acquiescence to the stated grounds of rejection.

In view of the above, the Examiner is respectfully requested to reconsider this application, allow each of the presently pending claims, and to pass this application on to an early issue. If

there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Barry R. Lipsitz', written over a horizontal line.

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ATTORNEY DOCKET NO.:HOE-793
Date: January 31, 2008